

BSS/3582.NoOpp.ManMin.Response.wpd

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

Criminal No. WDQ(S)-02-0143

TROY TURNAGE

...ooOoo...

GOVERNMENT'S RESPONSE TO MOTION FOR REDUCTION
OF SENTENCE UNDER 18 U.S.C. § 3582(c)

The United States of America, by its undersigned counsel, having reviewed the Presentence Report, the Judgment & Commitment Order, the revised guidelines computation and a Bureau of Prisons SENTRY report for the defendant named above, **does not oppose** retroactive application of the revised "crack" guideline pursuant to 18 U.S.C. § 3582(c). However, this defendant is serving a statutory penalty of not less than 120 months. In Mr. Turnage's case, the United States does not oppose a reduction from 135 months to **120 months**.

The United States notes that even if a defendant is eligible for a sentence reduction, whether or not to grant the reduction is a matter committed to the Court's discretion, not an automatic entitlement. The United States **does oppose** any reduction in the term of supervised release or any other term of the sentence.

Respectfully submitted,

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Certificate of Service

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I HEREBY CERTIFY that this 1st day of July 2008, a copy of the Foregoing Government's Response to Motion for Reduction Of Sentence under 18 U.S.C. § 3582(c) was hand delivered via interoffice mail to:

Denise C. Barrett, Esq.
The Office of the Federal Public Defender
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and

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Debra C. Lesser
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